

E. Evans Wohlforth, Jr., Esq.  
Caroline E. Oks, Esq.  
**GIBBONS P.C.**  
One Gateway Center  
Newark, New Jersey 07102-5310  
973-596-4500  
*Attorneys for Defendant*  
*Cigna Health and Life Insurance Company*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

MARCO PALLAZI AND PIERANGELA  
BONELLI,

Plaintiff,

v.

CIGNA HEALTH AND LIFE  
INSURANCE COMPANY, JOHN OR  
JANE DOE 1 THROUGH 100,  
FICTITIOUS NAMES BEING  
NATURAL PERSONS AT PRESENT  
UNIDENTIFIED, XYZ CORPORATIONS  
1 THROUGH 100, FICTITIOUS NAMES  
BEING CORPORATIONS AT PRESENT  
UNIDENTIFIED, ABC ENTITIES 1  
THROUGH 100, FICTITIOUS NAMES  
BEING COMMERCIAL ENTITIES AT  
PRESENT UNIDENTIFIED.

Defendants.

No. 2:22-cv-06278-JMV-AME

*Document electronically filed*

**NOTICE OF MOTION TO  
DISMISS PLAINTIFFS' FIRST  
AMENDED COMPLAINT**

**TO:** Richard Malagiere  
Leonard E. Seaman  
THE LAW OFFICES OF RICHARD MALAGIERE  
A Professional Corporation  
250 Moonachie Road, Suite 300A  
Moonachie, New Jersey 07074  
*Attorneys for Plaintiff*

**PLEASE TAKE NOTICE** that, on March 6, 2023, or as soon as counsel may be heard, Defendant Cigna Health and Life Insurance Co. (“Defendant”), by and through their attorneys, Gibbons P.C., shall move before the Honorable John Michael Vazquez, United States District Court for the District of New Jersey, Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, NJ 07102, for an Order pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure dismissing Plaintiffs’ Complaint.

**PLEASE TAKE FURTHER NOTICE** that in support of this motion, Defendants shall rely upon the Memorandum of Law and Declaration of E. Evans Wohlforth, Jr. submitted with this Motion.

**PLEASE TAKE FURTHER NOTICE** that a Certification attesting to the date and manner of service of these moving papers is also submitted herewith.

**PLEASE TAKE FURTHER NOTICE** that a proposed form of Order is submitted herewith.

**PLEASE TAKE FURTHER NOTICE** that oral argument is requested.

Dated: January 31, 2023

By: /s/ E. Evans Wohlforth, Jr.  
E. Evans Wohlforth, Jr., Esq.  
Caroline E. Oks, Esq.  
GIBBONS P.C.  
One Gateway Center  
Newark, New Jersey 07102-5310  
Telephone: (973) 596-4905  
Facsimile: (973) 639-6471  
[ewohlforth@gibbonslaw.com](mailto:ewohlforth@gibbonslaw.com)  
[coks@gibbonslaw.com](mailto:coks@gibbonslaw.com)

*Attorneys for Defendant Cigna Health  
and Life Insurance Company*